AUG 14 1980
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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JUL 14 1980
OFFICE OF THE CLERK
SUPREME COURT, U.S.

80-5308

JURISDICTIONAL STATEMENT

NO._____

IN THE SUPREME COURT OF THE UNITED STATES

RICHARD P. HECKER ~~[illegible]~~, APPELLANT

V.S.

BLYTHE H. EVANES JR. ESQ. ~~[illegible]~~., APPELLEE

ON APPEAL FROM THE THIRD CIRCUIT COURT OF APPEALES PHILADELPHIA. PENNA.

JURISDICTIONAL STATEMENT

ATTORNEY FOR THE APPELLEE OR LAST KNOWN ATTORNEY OF RECORD JOHN E.V. PIESKI PENN.SECURITY BLDG. ROOM 800 N. WASHINGTON AVE SCRANTON PA. 18503

RICHARD P. HECKER PRO. SE. 521 WYO. AVE.
WEST PITTSTON PA. 18643

RECEIVED
JUL 14 1981
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE SUPREME COURT OF THE UNITED STATES

_____ TERM, 19__

NO. _____

RICHARD P. ECKER [redacted] APPELLANT

V.S.

BLYTHE H. EVANS JR. ESQ. [redacted], APPELLEE

ON APPEAL FROM THE THIRD CIRCUIT COURT OF APPEALES

PHILADELPHIA PENNA.

28 USC 2403 MAYBE APPLICABLE

NOT CERTIFIED TO THE ATTORNEY GENERAL

BY A [redacted] COURT

RECEIVED
JUL 14 1981
OFFICE OF THE CLERK
SUPREME COURT, U.S.

SUPREME OF THE UNITED STATES

JURISDICTIONAL STATEMENT

I. THE APPELLANT Richard P. Becker IS APPEALING FROM A JUDGEMENT BELOW NO. 80-1213 US. THIRD CIRCUIT DATE MAY 1980 AND A SUBSTANTIAL QUESTION IS TO BE PRESENTED 19

2. CITATION OF OPINIONS BELOW

THIRD CIRCUIT COURT NO. 80-1213

" GRANT IN FORMA PAUPERIS"

" DISMISS THE APPEAL SA FIVERLOUIS"

"DENY OTHER MOTIONS AS MOOT"

MIDDLE DIST. COURT NO. 79-667

" JUDGEMENT ORDER FAILURE TO STATE A CLAIM OR CAUSE OF ACTION"

"NO. 79-1316 dismiss FOR LACK OF SUBJECT MATTER JURISDICTION"

3. a. ORIGINAL SUIT BROUGHT TITLE 42-USC. SECT. 1983 AND INADVERTTANTLY UNDER TITLE 28-USC. 1343 IN AN ATTEMPT TO PRO-SECUITE FOR DEPRIVATION OF THE RIGHT TO NOTICE THE SUIT IS ONE TO ENJOIN THE ENFORCEMENT OF A FEDERAL STATUTE FOR DEPRIVATION PROSECUTION.

b. THE DATE IS SEPT. 27 1979 AND JAN. 3. 1980 MIDDLE DIST. THIRD CIRCUIT MAY. 19 1930 DATE OF NOTICE OF APPEAL TO THIRD CIRCUIT FEB. 12 1980

c. CITATION OF SUPREME COURT JURISDICTION UNDER STATUTES 28-USC SECT. 1257 28 USC SECT. 1254 28USC SECT. 2403

d. CITATION OF UNCONSTITUTIONAL STATUTE CASES IN THE 1972 REVISED EDITION OF THE CONSTITUTION ACTS OF CONGRESS HELD UNCONSTITUTIONAL PAGES 1597 THROUGH PAGES 1619

4. CONTINUED TO PAGE 2.

Richard P. Becker
RICHARD P. BECKER PRO. SE.

4. CONTINUED STATUTE INVOLVED TITLE 42 USC 1983

CIVIL RIGHTS ACTION FOR DEPRIVATION OF RIGHTS

EVERY PERSON WHO UNDER COLOR OF ANY STATUTE,ORDINANCE, REGULATION COUSTOM, OR USAGE, OF ANY STATE OR TERRTTORY, SUBJECTS, OR CAUSES TO BE SUBJECTED, ANY CITIZEN OF THE UNITED STATES OR OTHER PERSON WITHIN THE JURISDICTION THEREOF TO THE DEPRIVATION O OF ANY RIGHTS PRIVILEGES OR IMMUNITIES SECURIED BY THE CONSTITUTI ON AND LAWS SHALLBE LIBAL TO THE PARTY INJURED IN AN ACTION AT LAW, SUIT IN EQUITY OR OTHER PROPER PROCEEDING FOR REDRESS.

FOUND ON PAGE 7062 OF USC. 1958 EDITION TITLES 41 TO 45

5. QUESTIONS PRESENTED

THE QUESTION PRESENTED IS WHETHER THE TITLE 42 USC SECT. 1983 IS REPUGNANT TO THE CONSTITUTION AND THE RIGHTS PROVIDED BY THE CONSTITUTION UNDER DUE PROCESS AND OR EQUAL PROTECTION 14 AMENDMENT

6. STATEMENT OF THE CASE

LAW SUIT IN EQUITY FILED IN MIDDLE DIST COURT IN AN ATTEMPT TO PROSECUIT FOR DEPRIVATION OF CIVIL RIGHTS, DEPRIVED OF RIGHT TO NOTICE, COULD NOT ESTABLISH CAUSE OF ACTION BECAUSE OF DEFICIENCY IN THE JURISDICTABLE STATUTE TITLE 42 USC 1983 I APPEALED TO THE THIRD CIRCUIT AND THE THIRD CIRCUIT CLERK SENT ALETTER SUGESTING I SHOULD FILE UNDER RULE 30-F OF THE FEDERAL CIRCUIT COURT RULES OF APPELLATE PROCEDURE COPY OF HIS LETTER ATTACHED.

I REALIZED THAT AT THAT TIME A CIRCUIT COULD NOT HANDLE A QUESTION OF US STATUTE INVALIDITY AND IT WOULD HAVE TO IN FINALITY BE APPEALED TO THE US. SUPREME COURT. HOWEVER I WOULD HAVE PRESENTED THIS INVALID STATUTE QUESTION TO THE THIRD CIRCUIT IF THE CLERK HAD NOT SUGESTED TO USE RULE 30-F

7. THE QUESTION PRESENTED IS SO SUBSTANTIAL AS TO REQUIRE

7. CONTINUED

I. THIS QUESTION INVOLVES A NATIONAL PRODUCT WHICH INVOLVES 220 MILLION PEOPLE WHO CAN BE RAPED OF THEIR CIVIL RIGHTS AND CONSTITUTIONAL RIGHTS AS WELL.

2. THIS QUESTION IS OF SUCH STRONG NATURE THAT ANYONE OF THE 220 MILLION PEOPLE COULD OR HAS THE POTENTCIAL POWER ACTING PRO. SE. ,TO BE ABLE TO FILE A LAW SUIT AND IN DOING SO VIOLATE THE DEFENDANTS CIVIL RIGHTS AND HIDE BEHIND THE IMMUNITIES OF TITLE ~~28~~ 42 USC SECT. 1983

3. ARGUMENT FOR THE QUESTION TO BE SUBSTANTIAL IS OF GREAT IMPORTANCE AS TO BRING TO A HALT, THIS RAPE OF CIVIL RIGHTS NOT ONLY BY ATTORNEYS BEING ABLE TO VIOLATE PEOPLES CIVIL RIGHTS AND BE IMMUNE UNDER A LIKE CIRCUMSTANCE BUT ALSO ANY ONE OF THE 220 MILLION PEOPLE CAN ACT AS THEIR OWN ATTORNEY PRO. SE. AND VIOLATE OTHERS CIVIL RIGHTS , AND ESCAPE PROSECUTIO BECAUSE OF THE INVALIDITY OF ~~28~~ 42 USC SECT. 1983

PROOF OF SERVICE

THIS IS TO CERTIFY THAT COPYS OF APPEARANCE ENTERY, SUPPLEMENT TO NOTICE OF APPEAL TO U.S. SUPREME COURT, MOTION TO LEAVE TO PROCEED IN FORMA PAUPERIS, AND TWO AFFIDAVITS IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS, AND FOUR SHEETS OF JURISDICTIONAL STATEMENT HAVE BEEN SENT TO THE FOLLOWING PARTIES, TO THE DEFENDANTS ATTORNEY OF RECORD JOHN E. V. PIESKI ESQ. PENN SECURITY BLDG. ROOM 800 N. WASHINGTON AVE. SCRANTON PA. 18503, TO THE SOLICITOR GENERAL, DEPT. OF JUSTICE, WASHINGTON 25 D.C. ~~TO THE U.S. ATTORNEY FOR THE MIDDLE DISTRICT OF PA. ROOM 406 FEDERAL BLDG. WASHINGTON AND LINDEN ST. SCRANTON PA. 18501~~ U.S. CLERK SUPREME MICHAEL RODAT. U.S. ATTORNEY GENERAL GENERAL

23USC. 2403 MAYBE APPLICABLE
NOT CERTIFIED TO THE ATTORNEY GENERAL
BY A LOWER COURT.

Richard P Becker.
RICHARD P. BECKER PRO. SE.

SUPPLEMENT TO PROOF OF SERVICE

FOR ADDITIONAL RECORD PURPOSES COPYS OF THE ENTIRE APPEAL AND JURISDICTIONAL STATEMENT HAVE BEEN FILED WITH THE N.A.A.C.P. WASHINGTON OFFICE 733 I5 ST. N.W. AND THE NATIONAL HEAD QUARTERS 1790 BROAD WAY NY. NY.

ALL SO IN THIS DAY AND AGE IT IS OF THE UPMOST IMPORTANCE THAT THIS ORGANIZATION BE MADE FULLY AWARE OF A CIVIL RIGETS STATUTE AND ITS REPUGANANCE AND ITS UNCONSTITUTIONALITY

RICHARD P. BECKER PRO SE.

Richard P. Becker

AFFIDAVIT

BY THE APPELLANT MARGARET H. BECKER THAT SHE HAS BECOME AN UNINTERESTED PARTY IN THE APPEAL FROM THIRD CIRCUIT COURT TO THE UNITED STATES SUPREME COURT. EVEN THOUGH MY NAME IS TYPE INTO ALL OF THE APPEAL PAPERS.

THIS IS IN ACCORD WITH RULE 10.4 OF THE SUPREME COURT RULES OF PROSEIURE.

Margaret H. Becker

MARGARET H. BECKER

COPY S OF THIS NOTICE HAVE BEEN SENT TO THE INTERESTED PARTYS ATTORNEY JOHN E. V. PIESKI PENN. SECURITY BLDG. ROOM 800 N. WASHINGTON AVE. SCRANTON PA. 18503 TO THE ASSISTANT US SUPREME COURT CLERK MARGARET H. MC FARLAND OFFICE OF THE SUPREME COURT WASHINGTON 20543 TO THE ABOVE ATTORNEY WHO IS THE DEFENDANTS LAST KNOWN ATTORNEY OF RECORD DEFENDANT IS BLYTHEH. EVANS JR.ESQ.

AFFIDAVIT

BY THE OTHER APPELLANT RICHARD P. BECKER THAT HE IS STILL THE INTERESTED PARTY IH THE APPEAL FROM THE THIRD CIRCUIT COURT TO THE U. S. SUPREME COURT AND MY NAME IS TYPED AND SIGNED AND CERTIFED TO BE THE ONLY REMAINING INTERESTED PARTY.

RICHARD P. BECKER PRO SE.

Richard P Becker.

COPYS OF THIS NOTICE HAVE BEEN SENT TO THE INTERESTED PARTYS ATTORNEYS JOHN E. V. PIESKI PENN. SECURITY BLDG. ROOM 800 N. WASHINGTON AUE. SCRANTON PA. 18503

TO THE ASSISTANT U. S. SUPREME COURT CLERK MARGARET H MC FARLAND OFFICE OF THE SUPREME COURT WASHINGTON DC. 25543

TO THE ABOVE ATTORNEY WHO IS THE DEFENDANTS LAST KNOWN ATTORNEY OF RECORD , DEFENDANT IS HLYTHE H . EVANS JR. ESQ.

May 9, 1980

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

RECEIVED
AUG 27 1980
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 80-1213

BECKER, Richard P. and
BECKER, Margaret H.,
Appellants

vs.

EVANS, Blythe H. Jr., Atty at Law

(M.D. Pa. Civil Action No. 79-1316)

Present: ADAMS and HIGGINBOTHAM, Circuit Judges

Submitted are appellant's:

1) affidavit to proceed in forma pauperis, which the Court may wish to treat as a motion to proceed in forma pauperis; and

2) motion to proceed on the original record pursuant to Rule 30(f), Federal Rules of Appellate Procedure

in the above-captioned case listed for May 19, 1980 or as the Court decides.

Respectfully,

T. F. Quinn, Jr.
Clerk

TFQ:PDS:clp
enc.

The foregoing Motion is/are

grant in forma pauperis. Granted in forma pauperis.

Dismiss appeal as frivolous. Dismiss appeal as frivolous.

Deny other motions as moot. Deny other motions as moot.

By the Court,

Dated: May 19, 1980

Judge

Sally Mrvos

~~THOMAS F. QUINN~~
CLERK

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
INDEPENDENCE MALL WEST
601 MARKET STREET
PHILADELPHIA 19106

TELEPHONE
215-597-2995

July 28, 1980

Mr. Richard P. Becker
521 Wyo Avenue
W. Pittston, PA 18643

Re: Becker, Richard P., et al., Appellants v. Evans, Blythe H., Jr., etc.
No. 80-1213

Dear Mr. Becker:

This will acknoweldge receipt of your undated letter received in this office today in the above-entitled case.

Pursuant to your request enclosed herewith is copy of the Notice of Appeal to the Supreme Court of the United States which was previously received from you and filed on June 16, 1980 in this Court.

As you were previously advised, if it is your intention to seek review of a decision of this Court by filing a petition for writ of certiorari, you should file same directly with the Clerk of the Supreme Court in Washington, DC at the following address:

Michael Rodak, Jr., Esquire
Clerk, Supreme Court of the United States
Supreme Court Building
Washington, DC 20543

Very truly yours,

Sally Mrvos/bjr
Clerk

bjr

cc: John E. V. Pieski, Esquire (w/o enclosure)
Suite 800 Penn Security Bank Building
P.O. Box 1066
Scranton, PA 18503

Received JUN 16 1980

U.S.C.A. 3RD CIR

1. Notice of Appeal from District Court, Civil Case United States District Court for the Third Circuit

Re: Richard P Baker & Margaret H Baker Plaintiff
V.S.
Blythe H. EVANS Defendant
} Civil Action No 80-1213

I. Notice of Appeal to the Supreme Court of the United States.

Notice is hereby given that Richard P Baker the Plaintiff above named hereby appeal to the Supreme Court of the United States from the final (order dismissing the complaint) entered in this action on 5/19/1980

This appeal is taken pursuant to 28 USC. sect 1254 1 and or 28 USC sect 1257 1

II. The Clerk Will please prepare a Transcript of the Record in this cause, for transmission to the Clerk of the Supreme Court of the United States and include in said Transcript the following

III The following Question regarding title 42 USC Sect 1983 Is about Statute invalidity and because of ... prosecution is impossible cause of action can not be established, because of US Statute repugnance to the Constitution under Due Process Equal Protection 14th amendment.

RECEIVED JUN 20 1980 THOMAS F. QUINN Clerk

Pro Se

RECEIVED
JUN 16 1980
U.S.C.A. 3RD. CIR.

Proof of Service

I Richard P. Becker P.o Se our attorney and Appellant hereby certify that on the 6/13/1980 3rd day I served copies of the foregoing Notice of Appeal to the Supreme Court of the United States on several parties thereto as follows;

1. On the United States, by mailing copy thereof at the office of Carlin M. O'Malley Esq. U.S. attorney for the Middle District of Penna at Room 426 Federal Building Washington and Linden St Scranton Pa. 18501 Box 309
2. To The Solicitor General, Dept of Justice Washington 25 DC.
3. To Clerk of the Third Circuit Phila T.F. Quinn 21400 U.S. Courthouse Independence Mall West 601 market St Phila. 19106
4. To Defendants attorney of Record.

cc. John E.V. Pietka Esqi. Scranton Pa.
Penn Security Bank Bldg. 18503
Suite 800 N Washington Ave

Richard P. Becker Po Se

521 Wyo Ave.
W. Pittston Penna
18643

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
INDEPENDENCE MALL WEST
601 MARKET STREET
PHILADELPHIA 19106

THOMAS F. QUINN
CLERK

TELEPHONE
215-597-2995

February 25, 1980

Mr. Richard P. Becker
Mrs. Margaret Becker
521 Wyoming Avenue
W. Pittston, PA 18643

Re: BECKER, Richard, et al. v. Evans, Esq., etc.
(M.D. Pa. Civ. No. 79-1316)
C. A. No. 80-1213

Dear Mr. Becker:

Receipt is acknowledged of your letter dated February 20, 1980.

Please be advised that you should contact the United States Supreme Court regarding the filing of petitions for writs of certiorari. Inasmuch as no decision has been rendered by this Court, such action might be premature.

With regard to your request for a copy of the Federal Rules of Appellate Procedure, it is suggested that you consult the rules of section in Title 28 United States Code, which should be found in your county or local law library.

Pursuant to Rule 30(f), Federal Rules of Appellate Procedure, you may request that your appeal be heard on the original record. To do so, you must file an original and three copies of such a motion, serve a copy of the motion on opposing counsel, and inform this ofrice in writing of such service.

Very truly yours,

T. F. Quinn

T. F. Quinn, Clerk

TFQ:PDS:clp

RICHARD P. BECKER AND WIFE	:	UNITED STATES COURT OF
APPELANTS	:	APPEALS
VS.	:	THIRD CIRCUIT
ATTORNEY BLYTH EVANS JR.	:	
M.D.C. CIVIL NO. 79-1316	:	NO. 80-1213
NO. 80-1213	:	

CONTENTS OF APPENDIX

I. AFTER JAN. 3,1980 THESE ACTIONS AND OCCURENCES HAVE TAKEN PLACE.

2. ON JAN. 15 1980 APPELLANTS FILED APPEAL TO THIRD CIRCUIT COURT. AND MIDDLE DISTRICT SENDS FILE TO THIRD CIRCUIT.

3. ALSO FORMA PAPERIS PETITION FILED BY THE APPELLANTS ON JAN. 23I930

4. ON JAN 31 1980 ORDER BY JUDGE CONABOY COMES DOWN STATING APPELLANTS HAVE NOT PROVIDED ENOUGHT INFORMATION FOR HIM TO GRANT FORMA PAUPERIOUS AND HE STATES THAT MY STATEMENT OF FINANCIAL CONDITION IS (SCANTY) UNESSASSARY UNCALLED FOR THE WORD SCANTY.

5. ON ~~JAN~~ FEB 12 1980 LUZERNE COUNTY MISCELLANEOUS COURT JUDGE BROMINSKI DISMISSED AN ORDER ON A RULE STATEING IT WAS UP TO JUDGE CONABOY TO STAY ANY FURTHER ACTIONS OF THE APPELLEE

6. PREVIOUS TO THIS THE APPELLEE HAS TAKEN THE LIBERTY TO FILE A WRIT OF EXECUTION ON JAN 9 1980 IN LUZERNE COUNTY COURT AND SENDS SHERIFF FIVE TIMES TO THE APPELLANTS PROPERITY PERSONAL.

7. ON FEB. 14 1980 APPELLANTS FILE IN MIDDLE DISTRICT COURT FOR INJJUNCTION OR MOTION TO STAY ANY FURTHER ACTION BY THE APPELLEE UNTIL ALL LITIGATION AND APPEALS OF APPELLANT HAVE RUN THEIR COURSE AND FINALITY IS REACHED.

8. HOWEVER ON FEB. 12 1980 APPELLANT PLACED A PHONE CALL TO JUDGE CONABOY,S OFFICE AND SPOKE TO HIS FEMALE LAW CLERK ,NAME FORGOTTEN BUT I STATED TO HER THE SERIOUSNESS AND THE IMMEDIATE NATURE OF THE ILLEGAL ACTION BEING FORCED UPON ME ,AND MY IMMEDIATE NEED OF RELIEF BY JUDGE CONABOY .

9. I INFORMED HER OF MY INTENTION TO PETITION MIDDLE D.C. FOR INTERLOCATORY INJUNCTION OR MOTION TO STAY APPELLEES FURTHER ACTIONS.

10. TWO DAYS LATTER THESHERRIFF DELIVERS THE POSTERS FOR SALE OF PERSONAL PROPERTY AND MAKES THREATS ETC.

11. SINCE FEB. 13 1980 PHONE CALL REQUESTING EMERGENCY JUDICATION FROM JUDGE CONABOY I HAVE RECEIVE ~~ON~~ RELIEF . TODAY IS FEB 13 1980

12. I REALIZE THAT A 5 DAY PERIOD NO SHOULD BE ENOUGH TIME FOR THE MIDDLE TO PREPAIR THE NESSASSARY ORDER, AND UNDER THIS EXTREME EMERGENCY I WOULD EXPECT A PHONE CALL FROM THE MIDDLE DISTRICT TO THE APPELLEE AND APPELLANT STATING A STAY OR INJUNCTION WILL BE INTERED AND AFFIDAVITS TO FOLLOW.

13. I,AM NOW PREPAREING A MOTION TO THIRD CIRCUIT FOR A STAY OF ANY FURTHER ACTION BY THE APPELLEE UNTIL ALL LITIGATION AND APPEALES HAVE RUN THEIR COURSE AND FINALITY IS REACHED BY THE HIGHER COURTS. REASON BECAUSE D.C. SLOW ACTION

14. A STATEMENT OF ISSUES IS ALSO PREPARED FEB 13 1980 AND THIS APPENDIX IS PREPARED.

RICHARD P. BECKER AND WIFE	;	UNITED STATES COURT
APPELLANTS	;	APPEALS
VS.	;	THIRD CIRCUIT
ATTORNEY BLYTHE EVANS JR.	:	NO. 80-1213
D.C. CIVIL NO. 79-1316	:	
NO.80-1213	:	
	:	

STATEMENT OF ISSUES

1. THAT THE MIDDLE DISTRICT COURT COULD NOT LIST THE COMPLAINT BECAUSE NO CIVIL RIGHTS STATUTES WILL PROVIDE THE BASIS FOR CAUSE OF ACTION BECAUSE OF THE INVALIDITY OF THE CIVIL RIGHTS STATUTES

2. THAT UPON CORRECTION OF THE INVALIDITY OF TITLE 42 usc 1983 AND UNCONSTITUTIONALITYTHE APPELLANTS WILL BE ABLE TO GET THIS COMPLAINT INTO COURT AND LISTED FOR TRIAL.

3. THAT TITLE 42 USC 1983 IS PARTIALLY INVALID AND UNCONSTITUTIONAL IN THAT IT ALLOWS PRIVATE ATTORNEYS IN PRIVATE MATTERS IN BUSINESS FOR THEM SELF, TO BE IMMUNE FROM PROSECTION UNDER THIS TYPE OF CIRCUMSTANCE, AND IT PROVIDES NO PROTECTION TO THE CITIZENS OF THE UNITED STATES IN MATTERS SUCH AS THIS, WHERE AN ATTORNEY ANY IN THE NATION CAN ACTUALLY DEPRIVE ANYONE OF THEIR CIVIL RIGHTS AND REMAIN IMMUNE TO PROSECUTION.

4. AND UPON CORRECTION OF THIS INVALID STATUTE, THEN APPELLANTS WILL BE ABLE TO AMEND THEIR LAW SUIT NO. 79-1316 AND VINDICATE.

RICHARD P, BECKER PRO. SE.

Richard P. Becker

APPENDIX IS PREPARED.

RICHARD P. BECKER PRO SE.

Richard P Becker Pro Se

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD P. BECKER and MARGARET H. BECKER	:	
Plaintiffs	:	
vs.	:	CIVIL ACTION NO. 79-1316
BLYTHE H. EVANS, JR., Attorney at law	:	
Defendant	:	

ORDER

NOW, this 2 day of January, 1980, the Defendant's Motion to Dismiss for lack of Subject Matter Jurisdiction CAUSE OF ACTION, will be, and is hereby granted, and this action is Ordered dismissed with prejudice.

Richard P. Conaboy
United State District Judge

FILED
SCRANTON, PA
JAN 3 1980
DONALD R. BERRY, Clerk
PER
DEPUTY CLERK

ORDER

NOW, THIS 27th day of September, 1979, the Defendant's Motion to Dismiss this action for failure to state a claim is granted, and this action is hereby dismissed. cause of action

Richard P. Conaboy
United States District Judge

RICHARD P. BECKER
MARGARET H. BECKER
APPELLANTS

V.S.

BLYTHE EVANS JR.ESQ.
APPELLEE

IN THE SUPREME COURT
OF THE UNITED
STATES

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

PETITIONER Richard P. Becker ASK LEAVE TO FILE THE ATTACHED PETITION FOR APPEAL TO THE UNITED STATES SUPREME COURT WITHOUT PREPAYMENT OF COSTS AND TO PROCEED IN FORMA PAUPERIS .

THE PETITIONERS AFFIDAVIT IN SUPPORT OF THIS PETITI ON IS ATTACHED HERETO.

Richard P. Becker
RICHARD P. BECKER. PRO. SE.

MARGARET H. BECKER PRO .SE.

28 USC 2403 MAYBE APPLICABLE
NOT CERTIFIED TO THE ATTORNEY
GENERAL BY A LOWER COURT

Continued to next Page No 2.

No one
PAGE

3 PAGES

RICHARD P. BECKER
MARGARET H. BECKER

APPELLANTS

VS.

BLYTHE H. EVANS JR. ESQ.

APPELLEE

IN THE SUPREME COURT OF THE UNITED STATES

AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

I Richard P Becker BEING FIRST DULY SWORN ACCORDING TO LAW , DISPOSE AND SAY, IN SUPPORT OF MY APPLICATION FOR LEAVE TO PROCEED WITHOUT BEING REQUIRED TO PREPAY COSTS OR FEES.

I. IAM THE PETITIONER IN THE ABOVE ENTITLED CAUSE.

2.BECAUSE OF MY POVERTY I,AM UNABLE TO PAY THE COSTS OF SUCH CAUSE.

3.IAM UNABLE TO GIVE SECURITY FOR THE SAME

4. I BELIEVE THAT IAM ENTITLED TO THE REDRESS I SEEK IN SAID CAUSE.

5. BECAUSE OF BEING GRANTED IN FORMA PAUPERIS AT THE APPELATE LEVEL.

6. THE NATURE OF SAID CAUSE IS BRIEFLY STATED AS FOLLOWS.

MARGARET H. BECKER PRO. SE.

Richard P. Becker

RICHARD P. BECKER PRO. SE.

28USC. 2403 MAYBE APPLICABLE

NOT CERTIFIED TO THE ATTORNEY GENERAL BY A LOWER COURT.

CONTINUATION OF AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

NATURE OF CAUSE

IN MY PREVIOUS ATTEMPTS BEFORE MIDDLE DISTRICT COURT SCRANTON PA. AND THE THIRD CIRCUIT COURT PHILA. I HAVE BEEN UNABLE TO ESTABLISH CAUSE OF ACTION DUE TO THE UNCONSTITUTIONAL INVALIDITY OF TITLE 42. SECTION 1983

THIS STATUTE PROVIDES ANY PERSON ACTING PRO. SE. OR AN ATTORNEY ACTING IN A PRIVATE MATTER TO BE IMMUNE TO PROSECUTION FOR CIVIL RIGHTS DEPRIVATION VIOLATIONS BECAUSE THE STATUTE STATES IN THE FIRST SENTENCE ANY PERSON WHO UNDER COLOR OF ANY STATUTE , LAW, ORDANANCE, ETC. IN ANY STATE OR TERRITORY. IT SHOULD STATE UNDER COLOR OF OR NOT UNDER OF AND THEN IT WOULD NOT BE REPUGANANT TO DUE PROCESS OR EQUAL PROTECTION GUARRENTEED IN THE US. CONSTITUTION 14 AMENDEMENT.

MARGARET H . BECKER PRO SE.

Richard P Becker

RICHARD P. BECKER PRO. SE.

THIS 26 DAY OF July - 1980

BE Joseph J Olshefski

JOSEPH J. OLSHEFSKI, Notary Public
Wilkes-Barre, Luzerne County, Pa.
My Commission Expires March 27, 1984

NOTARY PUBLIC

28 USC. 2403 MAY BE APPLICABLE

NOT CERTIFIED TO THE ATTORNEY GENERAL

BY A LOWER COURT.

No. 2 Page